

REMARKS/ARGUMENTS

The office action of August 23, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

The abstract of the disclosure was objected to for the use of "such as" language. The abstracted has been amended in accordance with the Examiner's suggestions.

Claims 3-11, 13-21 and 23 remain pending in this application. Claims 3, 11, 15, and 21 are amended. Claims 1-2, 12, and 22 have been canceled without prejudice or disclaimer.

The Claims were objected to as indefinite and the Examiner asked that the term "subscriber" be clarified in the claims. The claims have been clarified to better define the relationship of the subscriber to the overall network. The Examiner also rejected the claims as being directed toward non-statutory subject matter and suggested including "computer implemented" in the preamble. The Examiner's suggestion has been adopted in the current claims.

Claims 1-23 were rejected as being anticipated by Johnson US202/0095400. Although Johnson discloses various methods and systems for managing differentiated service in an information management environment, Johnson does not disclose any differentiated services based on upstream and downstream communications in a wireless network (such as a satellite and/or other similar such wireless connection), or any differentiated services including upstream and downstream communications based on a stored balance based of an individual subscriber.

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Amendment dated February 23, 2005
Reply to Office Action of August 23, 2004

The upstream and down stream management are particularly important on a wireless network where the systems often have asymmetric information paths.


Reconsideration is respectfully requested and a favorable action on the merits is solicited.

The Commissioner is authorized to charge our Deposit Account No. 19-0733 for any fees associated with this paper or application. A duplicate copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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